

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MAYA SPECIAL MARITIME ENTERPRISE	§	
	§	
Plaintiff,	§	
	§	
v.	§	C.A. NO. 4:13-cv-01871
	§	Admiralty – Rule 9(h)
Tug M.L. CROCHET, her engines,	§	
tackle, appurtenances, etc., <i>in rem</i> ,	§	
CROCHET BOAT COMPANY,	§	
<i>in personam</i> , and D&S MARINE	§	
SERVICE, L.L.C., <i>in personam</i> ,	§	
	§	
Defendants.	§	

PLAINTIFF’S MOTION FOR ORDER TO SEIZE

COMES NOW Plaintiff, Maya Special Maritime Enterprise, by and through its attorneys, Chaffe McCall, L.L.P., and files this its Motion for Order to Seize pursuant to Rule C of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure and respectfully alleges as follows:

1. On this date, Plaintiff filed its Original Verified Complaint pursuant to Rule C complaining of the *in rem* Defendant Tug M.L. CROCHET, and seeking to enforce its claims for damages sustained as the result of a collision. Plaintiff incorporates by reference the allegations contained in its Verified Original Complaint.

2. Defendant Tug M.L. CROCHET is a U.S. flagged tug of approximately 65 feet in length and 26 feet in breadth, bearing Official Number 1044982, and is now or will be during the pendency of this suit within the Southern District of Texas.

WHEREFORE, Plaintiff prays:

a. That this Court sign an Order to Seize the Tug M.L. CROCHET;

- b. That the Clerk issue a Warrant to Seize directing the United States Marshal for the Southern District of Texas to seize the Tug M.L. CROCHET;
- c. That at the sole risk and expense of Tug M.L. CROCHET and its interests, normal cargo operations may continue and the vessel may shift to another berth within the Port of Houston, during the course of the seizure;
- d. That after due proceedings, this Court enter judgment in favor of Plaintiff and against the Tug M.L. CROCHET;
- e. That the Tug M.L. CROCHET be condemned and sold to pay for and satisfy such judgment entered herein for Plaintiff against the Tug M.L. CROCHET; and
- f. That this Court grant to Plaintiff such other and further relief as may be just and proper.

Respectfully submitted,

/s/ Kevin P. Walters

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